

PROCEEDINGS OF THE 99TH NATIONAL CONVENTION  
OF THE AMERICAN LEGION

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COMMUNICATION

FROM

THE DIRECTOR, NATIONAL LEGISLATIVE  
DIVISION, THE AMERICAN LEGION

TRANSMITTING

A FINANCIAL STATEMENT AND INDEPENDENT AUDIT OF THE  
AMERICAN LEGION, AND PROCEEDINGS OF THE 99TH ANNUAL  
NATIONAL CONVENTION OF THE AMERICAN LEGION, HELD IN  
RENO, NEVADA FROM AUGUST 22-24, 2017, AND A REPORT ON  
THE ORGANIZATION'S ACTIVITIES FOR THE YEAR PRECEDING  
THE CONVENTION



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**Foreign Relations**  
**Bill Flanagan, Illinois, Chairman**

**Resolution No. 22: POW/MIA Policies****Origin: Maryland****Submitted by: Convention Committee on National Security****(As amended)**

WHEREAS, American servicemembers and civilians remain missing or otherwise unaccounted for from America's past wars and conflicts, and reports indicate that cases of Americans last known alive, information regarding their fates is still illusive; and

WHEREAS, The families of POW/MIAs suffer untold uncertainty due to the lack of information about and accounting for their missing loved one, often in spite of heroic efforts by U.S. specialists; and

WHEREAS, The National Defense Authorization Act (NDAA) of 2010 called upon the secretary of defense to provide funds, personnel, and resources to significantly increase the capability and capacity of the Department of Defense (DOD) to account for missing persons so that, beginning with fiscal year 2015, at least 200 missing persons are accounted for annually under the program; and

WHEREAS, Improvements in foreign government cooperation have helped identify locations of incident sites that may enable remains of U.S. personnel to be recovered and identified by the U.S. Government; and

WHEREAS, Promising advances in scientific DNA capabilities and other identification techniques involving radiographic comparison and facial superimposition have dramatically increased the U.S. Government's ability to identify remains of unaccounted for servicemen and civilians for whom identification had not earlier been possible; and

WHEREAS, Each member of the DOD POW/MIA accounting community plays a vital role in the mission to account for missing and unaccounted for U.S. servicemen and civilians from our nation's past wars and conflicts; and

WHEREAS, The secretary of defense recently directed "complete reorganization" of the DOD POW/MIA accounting community, a consolidation encouraging to family members and veterans, though close scrutiny for viability will continue to be required; and

WHEREAS, The Defense POW/MIA Accounting Agency was formed as a result of the defense secretary's directive for "complete reorganization" and is responsible for policy control and operational implementation to achieve the fullest possible accounting for missing U.S. personnel; and

WHEREAS, The POW/MIA accounting effort should continue to be a matter of highest national priority until all reasonable actions have been taken to achieve the fullest possible accounting for all U.S. personnel; and

WHEREAS, The American Legion fully supports and advocates for the fullest possible accounting of missing Americans, in every country, on every continent; and

WHEREAS, The American Legion believes U.S. Government POW/MIA operations, though currently still inadequate, are achieving substantial progress; now, therefore, be it

**RESOLVED, By The American Legion in National Convention assembled in Reno, Nevada, August 22, 23, 24, 2017, That The American Legion remains steadfast in our commitment to the goal of achieving the fullest possible accounting for all U.S. military personnel and designated civilian personnel missing and unaccounted for from our nation's past conflicts and current and present wars; and, be it further**

**RESOLVED, That The American Legion urges the president and members of Congress to speak out on every occasion on the need to expedite the return of U.S. personnel still missing and unaccounted for, regardless of location or era of loss; and, be it further**

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**RESOLVED, That The American Legion urges the president and Congress to support legislation and policies that will sustain use of all necessary resources to achieve the fullest possible accounting of missing American servicemembers and designated civilians regardless of location or era of loss; and, be it further**

**RESOLVED, That The American Legion calls upon Congress to provide full funding for the Defense POW/MIA Accounting Agency to meet requirements for personnel and operations to achieve accounting goals and to ensure these funds not be redirected by the Department of Defense for any other purpose; and, be it further**

**RESOLVED, That The American Legion calls upon the president and Congress to continue to declassify all POW/MIA information (except that revealing intelligence sources or methods) in a form readily available to the affected families and for public review; and, be it further**

**RESOLVED, That The American Legion calls upon Congress to establish a joint standing congressional committee on POW/MIA affairs to oversee plans and policies to ensure continued priority by the executive branch in addressing requirements to achieve the POW/MIA accounting goals; and, be it further**

**RESOLVED, That The American Legion calls upon the president to strengthen the U.S.-Russia Joint Commission on POW/MIAs, and to initiate similar such commissions with the People's Republic of China, and Democratic People's Republic of Korea to increase POW/MIA accounting and recovery efforts; and, be it further**

**RESOLVED, That The American Legion calls upon the president and Congress to continue taking favorable steps with the Socialist Republic of Vietnam as Hanoi increases efforts to provide the fullest possible accounting for U.S. personnel still missing in Vietnam or in areas of Laos and Cambodia controlled by Vietnam during the Vietnam War; and, be it finally**

**RESOLVED, That "fullest possible accounting" is defined as releasing live prisoners, repatriating remains of those killed in action or who died in captivity, or providing convincing evidence as to why neither is possible.**

**Resolution No. 40: USS Liberty**

**Origin: Washington**

**Submitted by: Convention Committee on National Security**

**(As amended)**

WHEREAS, On June 8, 1967, while operating in support of the National Security Agency (NSA) in international waters, properly marked as to her identity and nationality, and in calm, clear weather in the eastern Mediterranean, the USS Liberty (AGTR-5) was the target of an unprovoked attack by Israeli military forces that killed 34 members of the Liberty's crew and wounded 173; and

WHEREAS, In recognition of their heroic efforts during and after the Israeli onslaught, Liberty crew members were awarded the Presidential Unit Citation, 2 Navy Crosses, 12 Silver Stars, 20 Bronze Stars, more than 200 Purple Hearts, and the ship's captain, Navy Commander William. L. McGonagle, was awarded the Medal of Honor; and

WHEREAS, The June 28, 1967 public summary of proceedings of the Navy Court of Inquiry into the attack stated: "It was not the responsibility of the Court to rule on the culpability of the attackers and no evidence was heard from the attacking nation"; and

WHEREAS, According to Central Intelligence Agency (CIA) information reports from June and October, 1967, sources in Tel Aviv reported: "Israel's forces knew exactly what flag the LIBERTY was flying" and Israeli Defense Minister Moshe Dayan "personally ordered the attack" on the Liberty over the objections of senior uniformed military personnel, one of whom characterized the attack as "pure murder"; and

WHEREAS, Richard Helms (Director of Central Intelligence, 1966-1973), stated in a 1984 CIA interview: "Everything possible was done to keep from the American public really the enormity of this attack on an American naval vessel" and, "since this is for the Agency's record, I don't think there can be any doubt that the Israelis knew exactly what

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they were doing ... any statement to the effect that they didn't know that it was an American ship ... is nonsense"; and

WHEREAS, Lieutenant General Marshall S. Carter, USA (ret.) (Director of the NSA, 1965-1969), recalled in a 1988 NSA interview that he stated at a Congressional hearing in 1967 that the attack on the Liberty: "Couldn't be anything else but deliberate. There's just no way you could have a series of circumstances that would justify it being an accident" and Carter indicated this remained his belief in 1988; and

WHEREAS, In a 2003 affidavit published in the Congressional Record, Captain Ward Boston, Jr., JAGC, USN (ret.), legal counsel for the 1967 Navy Court of Inquiry stated: "I know from personal conversations I had with Admiral Kidd [president of the Court of Inquiry] that President Lyndon Johnson and Secretary of Defense Robert McNamara ordered him to conclude that the attack was a case of 'mistaken identity' despite overwhelming evidence to the contrary"; and

WHEREAS, According to the findings, published in the Congressional Record, of the 2003 Independent Commission of Inquiry, chaired by former Chairman of the Joint Chiefs of Staff Admiral Thomas H. Moorer, USN (ret.): "There is compelling evidence that Israel's attack was a deliberate attempt to destroy an American ship and kill her entire crew" and, "the White House deliberately covered up the facts of this attack"; and

WHEREAS, In 2013, the Veterans of Foreign Wars adopted Resolution No. 423 calling "Upon Congress to immediately investigate the attack on the USS Liberty by the armed forces of Israel on June 8, 1967, in order to determine the truth behind the attack, and to bring closure to the families and crew"; and

WHEREAS, In August 1967, after the conclusion of the Navy Court of Inquiry, The American Legion adopted Resolution No. 508 (rescinded in 1984 without being first reviewed) declaring the published report of the Navy Court of Inquiry: "Fails to provide the American public with a satisfactory answer as to the reason for the attack" and stating that, "The American Legion denounces and condemns Israel's irresponsible attack" and demanding, "A complete and thorough investigation of the incident"; and

WHEREAS, According to Gurney Williams III, writing in The American Legion Magazine ("Death Strikes the Liberty", July 1997), Congress has never investigated the Israeli attack on the Liberty; now, therefore, be it

**RESOLVED, By The American Legion in National Convention assembled in Reno, Nevada, August 22, 23, 24, 2017, That The American Legion calls upon the 115th United States Congress to publicly, impartially, and thoroughly investigate the attack on the USS Liberty and its aftermath and to commence its investigation before the end of 2017, the 50th anniversary year of the attack.**

#### **Resolutions Received and Recorded**

**Resolution No. 1 (AK): Taiwan Straits Dialogue**

**Resolution No. 24(MD): Taiwan Defense Arms Sales**

**Resolution No. 25 (MD): Taiwan Straits Dialogue**

**Law and Order & Homeland Security  
George Wehrli, Florida, Chairman**

#### **Approved Resolutions**

**Resolution No. 17: Counter Transnational Organized Crime**

**Origin: Maryland**

**Submitted by: Convention Committee on National Security**

WHEREAS, Transnational organized crime refers to those self-perpetuating associations of individuals who operate transnationally for the purpose of obtaining power,